

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

United States of America

v.

Criminal No. 05-cr-171-01-SM

Kimberly Baez

**O R D E R**

On March 29, 2012, the defendant appeared for an initial appearance on a supervised release violation dated March 22, 2012. The defendant stipulated to "probable cause" and requested a detention hearing pursuant to Fed. R. Crim. P. 32.1(a)(6).

Under Rule 32.1(a)(6), the defendant bears the burden of establishing by clear and convincing evidence that she will not flee and that she poses no danger to any other person or to the community. Based on the content of the supervised release violation as well as the proffers presented at the hearing, and for the reasons thoroughly stated on the record, the court finds the defendant has failed to meet this burden and that there are no conditions that are likely to assure (1) the defendant will not flee, or (2) the safety of the community.

Accordingly, it is **ORDERED** that the defendant be detained pending a final revocation hearing. The final revocation hearing is scheduled before Judge McAuliffe on May 8, 2012 at 1:30pm.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

**SO ORDERED.**

/s/ Daniel J. Lynch  
Daniel J. Lynch  
United States Magistrate Judge

Date: March 29, 2012

cc: Counsel of Record  
U.S. Marshal  
U.S. Probation